



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH  
*1102 SE Quince Street • PO Box 47990  
Olympia, Washington 98504-7990*

June 12, 2002

**To:** Washington State Board of Health Members  
**From:** Don Sloma, Executive Director  
**Re:** Proposed Changes to State Board of Health Rules Development Process

**Summary and Background**

At its December 1999 meeting, the Board approved a policy and process on rule development that delineated Board and Department of Health (DOH) roles. At the time, the Board had several staff vacancies and a comprehensive review of all Board and DOH rules was underway pursuant to Governor Locke's Executive Order on Regulatory Reform. This process was led primarily by DOH staff, even for rules within the statutory authority of the Board. Because of these circumstances, the Board adopted a policy and process that stated all Board rule revision proposals were subject to DOH staff research, analysis, and recommendation prior to Board action. Subsequently, the Board filled all of its staffing vacancies and has begun policy development work, including closer scrutiny of its own rules. This has resulted in several rule revision requests coming to the Board directly from Board members, citizens, local health jurisdictions, and other entities. Board staff and members evaluated these requests, presented them to the Board, and in some cases, the Board has initiated rule revisions with only limited prior review and analysis by DOH staff.

When I was presenting our current rule development policies and processes to a meeting of local health jurisdiction officials recently, I was asked if any of them could ask the Board for a revision to one of our rules directly. I believe the Board's intent (and our recent practice in a few cases) is that such requests can come directly to the Board with no requirement for prior DOH research or analysis. But our current policy and process does not specifically state that. Secretary of Health Mary Selecky was present at the meeting and stated that the current Board policy and process likely resulted from Board staffing limitations at the time, and that it did not necessarily reflect a decision by the Board that it should receive DOH research and analysis prior to all rule revision requests.

The attached flow chart is the Board's current rule development process with several suggested changes to reflect my understanding of the Board's intent and recent practice.

**Recommended Board Action:**

If the Board concurs with the comments above, I recommend it consider the following motion:



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*The Board approves the changes to the "State Board of Health Rules Process" delineated on the attached chart.*